

1 ENERGY AND ENVIRONMENT CABINET

2 Department for Environmental Protection

3 Division of Water

4 (Amendment)

5 401 KAR 8:075. Consumer confidence reports and public notification.

6 RELATES TO: KRS 224.10-100, 224.10-110, 40 C.F.R. 141.151-141.155, 40 C.F.R.
7 141.201-141.211, Appendix A, Appendix B, Appendix C. 42 U.S.C. 300f-300j-26[, ~~EO 2008-~~
8 ~~507, 2008-531~~]

9 STATUTORY AUTHORITY: KRS 224.10-100(28), 224.10-110, 40 C.F.R. 141.151-
10 141.155, 40 C.F.R. 141.201-141.211, 42 U.S.C. 300f-300j-26[, ~~EO 2008-507, 2008-531~~]

11 NECESSITY, FUNCTION, AND CONFORMITY: KRS 224.10-110(2) and (3) require the
12 Secretary of the Cabinet to promulgate administrative regulations for the regulation and control
13 of the purification of water for public and semipublic use. [~~EO 2008-507 and 2008-531, effective~~
14 ~~June 16, 2008, abolish the Environmental and Public Protection Cabinet and establish the new~~
15 ~~Energy and Environment Cabinet.~~] This administrative regulation establishes the requirements
16 for consumer confidence reports and notification of the public if a public water system
17 violates a provision of 401 KAR Chapter 8. This administrative regulation establishes
18 requirements different from the federal regulation for submitting consumer confidence reports
19 and certifications to the cabinet in enforceable timeframes. The federal regulation requires
20 consumer confidence reports to be mailed to the cabinet at the same time the report is delivered
21 to the customers, and the certification is required to be submitted to the cabinet within three (3)

1 months. This administrative regulation requires that the consumer confidence report and
2 certification be delivered to the cabinet by July 1 of each year.

3 Section 1. **Consumer confidence reports.** (1) A community water system shall submit
4 an annual consumer confidence report to its customers and to the cabinet in accordance with 40
5 C.F.R. 141 Subpart O, 141.151, 141.152, 141.153, 141.155, including Appendix A, and 141.154,
6 except as provided in subsection (2) of this section.

7 (2) A copy of the annual report and certification required by 40 C.F.R. 141.155 shall be
8 delivered to the cabinet and the system's customers by July 1 each year.

9 Section 2. **Public notification. The owner or operator of a public water system shall**
10 **give public notice as established in 40 C.F.R. Subpart O, 141.201 through 141.211,**
11 **Appendix A, Appendix B, and Appendix C.**